

Anglican Church of Australia Act 1976 No 21



New South Wales

Status information

Currency of version

Current version for 27 November 2003 to date (accessed 2 December 2020 at 17:42)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced. See [Historical Notes](#)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 27 November 2003.

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Anglican Church of Australia Act 1976 No 21



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An Act to change to Anglican Church of Australia the name of the Church of England in Australia.

1 Name of Act

This Act may be cited as the *Anglican Church of Australia Act 1976*.

2 Commencement

- (1) This section and section 1 shall commence on the date of assent to this Act.
- (2) Except as provided in subsection (1), this Act shall commence on such day as may, on the recommendation of the Primate of the Church of England in Australia, be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3 Change of name

- (1) The name of the Church of England in Australia referred to in the *Church of England in Australia Constitution Act 1961* is hereby changed to “Anglican Church of Australia”.
- (2) The name of the corporation constituted by section 7 of the *Church of England in Australia Constitution Act 1961* is hereby changed to “Anglican Church of Australia Trust Corporation”.

4 Construction of Acts and instruments

On and from the day appointed and notified under section 2 (2), a reference to the Church of England or to the Church of England in Australia in:

- (a) the Acts specified in Schedule 1 and any other Acts in force immediately before that day,
- (b) instruments made under Acts and so in force,
- (c) Church Canons of the General Synod of the Church of England in Australia so in force,
- (d) Church Ordinances and Church Acts of a Provincial or Diocesan Synod of that Church so in force,
- (e) Church Rules and Regulations made by the authority of those Canons, Ordinances and Acts and so in force,
- (f) grants, deeds, wills and other instruments having effect on or after that day,

shall be construed as a reference to the Anglican Church of Australia.

5 Savings

- (1) This Act does not prejudice or affect the continuity of any corporation or any property, rights, authorities, duties, functions or obligations of any corporation.
- (2) Any legal proceedings that immediately before the day appointed and notified under section 2 (2) had been, or could have been, commenced or continued by or against the corporation of which the name is changed by section 3 (2), or a corporation of which the name is changed by this Act or under section 10 (2) (a) of the *Church of England (Bodies Corporate) Act 1938*, may be commenced or continued by or against the corporation under the new name of the corporation.

6 Offence

- (1) After the expiration of six months after the day appointed and notified under section 2 (2), a person shall not, for the purposes of, or in connection with, any business, trade or profession use or cause or permit to be used:
 - (a) the name “Church of England”, “Church of England in Australia” or “Anglican Church of Australia”, or
 - (b) the description “Anglican”,

whether that name or description is used with other words or not, unless he has been authorised so to do by or pursuant to a Canon of the General Synod of the Church of England in Australia or the General Synod of the Anglican Church of Australia.

Maximum penalty: 1 penalty unit.

- (2) Subsection (1) does not operate to deprive the Anglican Church of Australia wholly or partly of any right or remedy that it would have had if that subsection had not been enacted.

7 (Repealed)

Schedule 1

(Section 4)

Church of England Constitutions Act Amendment Act of 1902
Church of England Clergy Provident Fund (Sydney) Act 1908
Church of England Trust Property Act 1917
Church of England Trust Property (Amendment) Act (No 2) 1923
Church of England (Bodies Corporate) Act 1938
Church of England Clergy Provident Fund (Sydney) Amendment Act 1941
Church of England Trust Property (Amendment) Act 1950
Church of England Clergy Provident Fund (Sydney) Amendment Act 1955
Church of England in Australia Constitution Act 1961
Church of England Constitutions (Amendment) Act 1976

Schedule 2 (Repealed)

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Anglican Church of Australia Act 1976 No 21. Assented to 1.4.1976. A proclamation was published in Gazette No 139 of 18.9.1981, p 4892, specifying 24.8.1981, as the date of commencement of secs 3–7. This Act has been amended as follows:

1984	No 153	<i>Statute Law (Miscellaneous Provisions) Act 1984</i> . Assented to 10.12.1984.
1993	No 47	<i>Statute Law (Penalties) Act 1993</i> . Assented to 15.6.1993. Date of commencement, assent, sec 2.
2003	No 82	<i>Statute Law (Miscellaneous Provisions) Act (No 2) 2003</i> . Assented to 27.11.2003. Date of commencement of Sch 3, assent, sec 2 (1).

Table of amendments

Sec 6	Am 1993 No 47, Sch 1.
Sec 7	Rep 2003 No 82, Sch 3.
Sch 1	Am 1984 No 153, Sch 16.
Sch 2	Am 1984 No 153, Sch 16. Rep 2003 No 82, Sch 3.